IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL (Ldg.) NO. 991 OF 2002

The Commissioner of Income-tax. ... Appellant.

V/s.

D.Y.Samant. ... Respondent.

A.S.Rao i/b. Pankaj Kapoor for the appellant.

CORAM : V.C.DAGA AND J.P.DEVADHAR, JJ.

DATED : 12th September, 2005.

P.C. :

. On the motion made by learned counsel for the petitioner, petitioner is allowed to withdraw this appeal. Appeal is dismissed as withdrawn with liberty to apply for refund of court fee as may be permissible in law with no order as to costs.

(J.P.DEVADHAR, J.) **(V.C.DAGA, J.)**